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5 IN THE UNITED STATES DISTRICT COURT
6 FOR THE WESTERN DISTRICT OF WASHINGTON AT SEATTLE

7 DAVID WHITSETT,

8 Plaintiff,

9 v.

10 BRANDSAFWAY LLC,

11 Defendant.
12

NO. 2:17-cv-01236-RSM

STIPULATED MOTION AND
ORDER REGARDING EXPERT
DEPOSITIONS

13 **STIPULATED MOTION**

14 Pursuant to LCR 7(d)(1) and LCR 10(g), the parties hereby stipulate and move the Court
15 for the following relief:

16 1. Pursuant to the Stipulated Motion and Order Continuing Select Case Schedule
17 Dates (ECF No. 17), discovery must have been completed by July 6, 2018.

18 2. Subject to Court approval, the parties have agreed to allow expert depositions to
19 occur after the discovery cutoff. The depositions of Plaintiff's liability expert, Jesse Michaletz,
20 CSP, Plaintiff's medical expert, Shane Leavitt, MD, and Defendant's medical expert, John Burns,
21 MD, are scheduled to occur on August 22, 2018, August 24, 2018, and September 7, 2018,
22 respectively.

23 3. The parties have scheduled a mediation to occur on August 28, 2018, to attempt
24 in good faith to resolve this case. Boeing, the self-insured employer of the Plaintiff, has asserted
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STIPULATED MOTION AND ORDER
REGARDING EXPERT DEPOSITIONS -
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1 a lien of \$168,385.93. Personnel with authority to approve a settlement have been notified that
2 mediation has been scheduled. The parties believe that the expert depositions identified in the
3 preceding paragraph would facilitate settlement of this matter.

4 4. The parties, for good cause shown, respectfully request that the Court grant this
5 stipulated motion and continue the following case schedule deadline as follows:

6 a. The deadline for the discovery cutoff to September 7, 2018, for the limited purpose
7 of permitting the depositions of Jesse Michaletz, CSP, Shane Leavitt, MD, and John Burns, MD,
8 to occur.

9 5. The parties do not request a continuance of the trial date at this time.

10 It is so stipulated through counsel of record.

11 FISHER & PHILLIPS, LLP

RUSSELL & HILL, PLLC

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Attorneys for Plaintiff

18 **ORDER**

19 Based upon the stipulation of the parties above, IT IS HEREBY ORDERED that:

20 1. The deadline for the completion of discovery is continued to September 7, 2018,
21 for the limited purpose of allowing the depositions of Jesse Michaletz, CSP, Shane Leavitt, MD,
22 John Burns, MD, to occur.

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25 STIPULATED MOTION AND ORDER
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1 DATED this 19th day of July, 2018.

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5 RICARDO S. MARTINEZ
6 CHIEF UNITED STATES DISTRICT JUDGE
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